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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,336	03/19/2004	David C. Coffin	6579-0105-1	7023

7590 02/27/2006

Richard R Michaud
The Michaud-Duffy Group LLP
306 Industrial Park Road
Suite 206
Middletown, CT 06457

EXAMINER

MICHALSKI, SEAN M

ART UNIT	PAPER NUMBER
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3725

DATE MAILED: 02/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/804,336	Applicant(s) COFFIN ET AL.	
	Examiner Sean M. Michalski	Art Unit 3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 1, 3, 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Andrews (USPN 6,161,288) in view of Althaus et al. (USPN 5,579,580).

4. Regarding claim 1, Andrews discloses a blade cartridge for a wet shaving device comprising: a housing (140 figure 8) defining a cavity (191 figure 15) first (142, figure 15) and second (143 figure 15) razor blade assemblies disposed within said cavity each blade assembly comprising; a blade carrier (142, 143, figure 15); at least two razor blades (144, 145, figure 15) mounted on the carrier (as shown in figure 15), each of said blades defining a longitudinal cutting edge (144, 145, as seen in figure 8); and wherein said cutting edges of the razor

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blades of the first and second blade assemblies are configured to allow the razor cartridge to cut hair when drawn over a user's skin in either of two different directions (figure 3; also column 20, lines 39-42).

Andrews does not disclose a wire extending generally transversely across the cutting edges of said at least two razor blades.

Althaus et al. teaches the use of wire for wrapping blade assemblies (17 figure 1; also 18 figure 5; also column 2, lines 42-48).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to wrap the blade cartridges as disclosed by Andrews with wire as taught by Althaus et al. This amounts to a mere exchange of components (the exchange of non-wrapped blade assemblies for wrapped blade assemblies), which is within the scope of ordinary skill in the art. The motivation to combine is that by wrapping the blades (as disclosed in Althaus) "the possibility of cutting the skin is lessened by the wires" (column 2 lines 48-50).

Regarding claim 3, Andrews in view of Althaus et al. discloses all the features of the claimed invention as discussed above. Andrews further discloses that the blade cartridge as defined by claim 1 wherein said cutting edges of said razor blades carried by said first razor blade assembly (142, figure 15) generally face away from said cutting edges of said razor blades carried by said second razor blade assembly (142, figure 15). The razor blade assemblies are shown to face away from each other in figures 1, 2, 3, 4, 6, 8, 11, 15, 18, 19, 21, 22, 23, 24, 25, 35, 39, 41, 43, 44, 48, 49, 53, 54, 55, 56, 57, 58, 59, 60, 61, 66, 67, 68, 70, 72, 73, 74, 75, 76, 77, 79 and 80.

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Regarding claim 4, Andrews in view of Althaus et al. discloses all the features of the claimed invention as discussed above. Andrews further discloses that the number of blades carried by the first blade assembly is equal to the number of blades of the second assembly. This can be seen in figures 1, 2, 3, 4, 6, 8, 11, 15, 18, 19, 21, 22, 23, 24, 25, 35, 39, 41, 43, 44, 48, 49, 53, 54, 55, 56, 57, 58, 59, 60, 61, 66, 67, 68, 70, 73, 74, 75, 76 and 77.

Regarding claim 5, Andrews in view of Althaus et al. discloses all the features of the claimed invention as discussed above. Andrews further discloses that the number of blades carried by the first blade assembly is different from the number of blades of the second assembly. This can be seen in figures 72, 79 and 80.

Regarding claim 6 and 7, Andrews in view of Althaus et al. discloses all the features of the claimed invention as discussed above. Andrews further discloses that the first and second blade assemblies are independently movable (as indicated by separate biasing means 761 and 762 in figure 53; column 36, lines 50-53).

5. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Andrews in view of Althaus et al. as applied to claim 1, above, and further in view of Iten (USPN 3,505,734).

Andrews in view of Althaus discloses all the features of the claimed invention as discussed in section 4. Andrews in view of Althaus does not disclose a first and second blade assembly facing toward each other.

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Iten discloses a first (91 figure 15) and second (92 figure 15) blade assembly facing each other (as seen in figure 15).

It would have been obvious to one skilled in the art at the time the invention was made to modify Andrews in view of Althaus to incorporate the teaching of Iten, that blade assemblies can be made to face each other. The motivation for this combination is provided in Iten, which teaches "the blades being arranged with the cutting edges opposed . . . In this construction and relation of the elements one guarded blade acts as an auxiliary guard for the opposite one."

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Brown et al. (USPN 6,185,823) which discloses first and second blade assemblies with non-equal numbers of blades.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean M. Michalski whose telephone number is 571- 272-6752. The examiner can normally be reached on M-F 7:30AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on 571-272-4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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smm



DERRIS H. BANKS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700